

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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WARREN ZINNAMON, on behalf of himself and
all others similarly situated,

Plaintiffs,

-against-

23 CIVIL 2722 (LJL)

JUDGMENT

PROFOUND COLOR, LLC DBA COLORIT,

Defendant.
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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated October 17, 2023, the motion to dismiss is GRANTED and the FAC is DISMISSED. The Second Circuit decision in Calcano was available to Plaintiff when he filed the FAC and, even now, Plaintiff fails to identify facts he could plead that would establish standing. Accordingly, the dismissal is with prejudice.

Dated: New York, New York

October 18, 2023

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk